

CIVIL DOCKET

UNITED STATES DISTRICT COURT

D. C. Form No. 106A Rev.

Jury demand date: 11-26-74 (deft. Coffeyville Mem.
12-5-74 (deft. Loretta J. Roberts) Hosp)

TITLE OF CASE	ATTORNEYS
<p><u>VIRGINIA HAGAR</u>, Executrix of the Estate of <u>ELBERT C. HAGAR</u>, Deceased,</p> <p style="text-align: center;">Complainant,</p> <p>vs.</p> <p><u>LORETTA J. ROBERTS</u>; <u>Le ROY ALCOX</u>, M.D.: The City of <u>COFFEYVILLE</u>, State of Kansas; The <u>BOARD OF</u> <u>COMMISSIONERS</u> of the City of Coffeyville, A municipal corporation of the first class, within the County of Montgomery, State of Kansas; and <u>COFFEYVILLE</u> <u>MEMORIAL HOSPITAL</u>, A branch, part of, and agency of the City of Coffeyville, Kansas,</p> <p style="text-align: center;">Defendants.</p>	<p>For plaintiff:</p> <p>Jerry M. Melone W. E. Franklin 500 W. 7th Tulsa, OK 74119 (918-587-5503)</p> <p>Robert L. Shepherd 100 Center Plaza 200 Law Bldg. Tulsa, OK 74119 500 W. 7th (918-583-7114) 584-6191)</p> <p>For defendant:</p> <p>Joseph F. Glass (for Loretta J. Roberts) Best, Sharp, Thomas, Glass & Warner 200 Franklin Building Tulsa, Oklahoma 74103</p> <p>Alvin E. Grauerholz (for LeRoy Alcox) P. O. Box 361 w/drawn 4-10-75 Coffeyville, Kansas 67337</p> <p>Alfred B. Knight (City of Coffeyville, 310 Beacon Bldg. Bd. of Commrs. & Mem. Tulsa, OK 74103 Hosp)</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed 12-1-74	Clerk	1974			
J.S. 6 mailed 5-1-75	Marshal	11-7	Shepherd	15.00	
Basis of Action: Personal injuries; medical bills; wrongful death	Docket fee	11-14-74	C/D #22		15 00
Action arose at:	Witness fees				
	Depositions				

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-7-74	1. Complaint filed and Summons issued. v	
11-11-74	Return on U.S. Marshals service, summons filed. Served Loretta J. Roberts at Coffeerville, KS, on 11-8-74 w/ fees of \$21.24; served Coffeerville Memorial Hospital by serving Georgia Smith at Coffeyville, KS, on 11-8-74 w/ fees of \$3.00; served LeRoy Alcox, by serving Mrs. E. Buster, Ward Clerk, at Coffeerville, KS on 11-8-74 w/ fees of \$3.00; served City of Coffeerville, KS by serving Carolyn Ernzen at Coffeerville, KS, on 11-8-74 w/ fees of \$3.00. k	
11-21-74	2. Answer of Loretta J. Roberts, filed. g	
11-26-74	3. Answer of deft. Le Roy Alcox, M.D., filed. lm	
11-26-74	4. Defts. Coffeyville Mem. Hosp &/or Board of Commrs. of the City of Coffeyville &/or the City of Coffeyville, KS, <u>REQUEST FOR JURY TRIAL</u> , filed.k	
11-27-74	5. Ans. of defts. Coffeyville Mem. Hsp., &/or Bd. of Commrs. &/or City of Coffeyville, Ks., filed.k	
12-5-74	6. Request for JURY Trial, filed. lm	
12-13-74	MO: Parties are directed to hold a PT conf. on or before 1-24-75 & file PT Order on or before 1-31-75. (AEB-J)k cps by cert ml	
12-26-74	7. Defts. City of Coffeyville, St. of KS, Bd. of Co. Commrs., Bd. of commrs. of the City of Coffeyville, & Coffeyville Memorial Hosp.s' Motion to Dismiss, filed.k	
12-26-74	8. Defts.' Brief in support of mot. to dismiss, filed.k	
12-26-74	MO: It is ordered by the Court that Pltf. is granted ten (10) days to respond to defts.' mot. to dismiss. (AEB-J)k cps mld	
1-2-74	9. APPLICATION of pltf. for extension of twenty days to respond to defts.' motion to dismiss. lm <i>ozg</i>	
1 3-75	10. Order, filed, granting pltf. 20 days ext. to respond to defts' mot. to dismiss. (AEB-J)g <i>7-2-75</i>	
1-20-75	11. Amendment of City of Coffeyville to mot. to dismiss, filed.k	
1-27-75	12. Response to Motion to Dismiss of Deft. Coffeyville Memorial Hospital, filed by Pltf. with request of LeRoy Alcox, M.D., that this Court retain jurisdiction of all parties and Brief in support of response, filed. v	
1-28-75	13. Response to Amendment to Mot. to Dismiss of Deft., City of Coffeyville, Coffeyville Memorial Hospital, filed. v	
1-29-75	14. Pretrial order, filed. ds (AEB-J)	
1-31-75	15. Deft. Loretta J. Roberts' Motion for change of venue, filed.k	
1-31-75	16. Brief in support of deft. Roberts' Mot. for change of venue, filed.k	
1-31-75	MO: It is ordered by the Court that Pltf. & remaining defts. are granted ten (10) days from this date to respond to Deft. Roberts' Mot. for a change of venue. (AEB-J)k cps mld	

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-31-75	Deposition of pltf., Virginia Hagar, taken on behalf of defts. on 1-25-75 at Tulsa, OK, before Ruth Potts, C.S.R., filed, w/ fees of \$130.00. k	
1-31-75	17, Pltf's Motion for Summary Judgment, filed. lm	
1-31-75	18. Pltf's Brief in Support of Motion for Summary Judgment, filed. lm	
1-31-75	MO: ORDERED by the Court that defendants are given 10 days from this date to file a response to pltf's Motion for S/J. lm	
1-31-75	¹⁹ 18 Pltf's Interrogatories to Loretta J. Roberts, filed. lm	
1-31-75	²⁰ 19 Pltf's Interrogatories to City of Coffeyville, Bd/Commrs. Coffeyville, and Coffeyville Memorial Hospital, filed. lm	
2-5-75	21. Pltf's response to mot for change of venue of deft. Loretta J. Roberts, filed. g	
2-5-75	22. Application of pltf. for oral argument on motions, filed. g	
2-5-75	23. Response of deft. Coffeyville Memorial Hospital to motion to transfer, filed. g	
2-7-75	24. Pltf's exhibit, filed: a copy of the Order Overruling Mots. to Set Aside Dismissal, filed in Kansas District Court.k	
2-10-75	25. Application for Ext. of Time by defts. to File Response to Mtn. for S/J, filed.jj <i>oto J</i>	
2-12-75	26. Cross-Complaint of deft. Le Roy Alcox against Deft. Coffeyville Memorial Hospital & City of Coffeyville, KS, filed.k	
2-12-75	27. Response of deft. Le Roy Alcox to deft. Roberts' Mot. for a change of venue, filed.k	
2-13-75	28. Order, filed, granting ext. of 10 days to respond to motion for summary judgment. (AEB-J)g <i>7m</i>	
2-18-75	29. Response of City of Coffeyville to pltf's mot. for S/J and reply to response of pltf. to mot. to dismiss of deft. Coffeyville Memorial and City of Coffeyville, filed. g	
2-19-75	30. Response of deft. Loretta J. Roberts to pltf's motion for S/J & brief in support of deft. Roberts' motion for change of venue, filed.k	
2-19-75	31. Brief in support of deft. Loretta J. Roberts' motion for change of venue & in support of deft's claim for right of contribution & indemnity, filed.k	
2-19-75	32. Appl. of Pltf. to file Amendment to Complaint, filed. v (o)	
2-20-75	33. Pltf's Reply to Response to Pltf's Mtn. for S/J of Deft., Loretta J. Roberts, filed.jj	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
2-25-75	34. Answers to Interrogatories, filed by Coffeyville Memorial Hospital. v	
2-28-75	35. Ans. of Coffeyville Memorial Hospital & the City of Coffeyville, Montgomery Co., KS, to the Cross-Complaint of Le Roy Alcox, M.D., Co-Deft., filed. v	
3-11-75	36. Motion to dismiss cross-complaint of def., Le Roy Alcox, filed by defs., City of Coffeyville, Bd. of Commrs. of Coffeyville and Coffeyville Memorial Hospital, filed. rm	
3-11-75	37. Brief of defs., City of Coffeyville, etc., in support of their motion to dismiss, filed. rm	
3-11-75	MO: Ordered by the Court that def. Le Roy Alcox is granted 10 days in which to respond to mo/dismiss of his cross-complaint against defs., City of Coffeyville etc., w/brief if opposed.(AEB-J)rm - ltr.	
3-18-75	38. Mot. of Deft. Dr. Le Roy Alcox for additional time, filed. v <i>(to be in)</i>	
3-19-75	MO: Case referred to Mag. Bradford for hrg/rec re pending mots. (AEB-J)k	
4-9-75	39. Request of Alvin Grauerholz for leave of Court for w/drawal of atty., filed. v (o)	
4-10-75	40. Order, filed, allowing Grauerholz to w/draw as counsel for Deft. Le Roy Alcox. (AEB-J)k cps mld	
4-10-75	MO: It is ordered by the Court that Deft. Alcox notify the Court w/in 15 days of this date of the name of his new counsel. (AEB-J)k cps mld <i>Noted, 4-10-75</i>	
4-29-75	41. Appl. to Dismiss w/prejudice, filed by parties. v (o)	
4-29-75	42. Appl. to Dismiss w/prejudice of the Cross-Compl., filed by Defts. v (o)	
4-30-75	43. Order, filed & entered, that the complaint & all causes of action of the pltf. are hereby dismissed w/ prejudice to any future action. (AEB-J)k cps mld	
4-30-75	44. Order, filed & entered, that the Cross-Complaint of def. Le Roy Alcox filed against City of Coffeyville, KS, the governing Boards thereof, & Coffeyville Memorial Hospital is hereby dismissed w/ prejudice to any future action. (AEB-J)k	
8-13-75	Deposition of <u>Dr. LeRoy Alcox</u> on behalf of the plaintiff taken before, Millie Ballard, LSR on 1-9-75 at Coffeyville Hospital, Coffeyville, Kansas, filed. mm	
8-13-75	Deposition of <u>Loretta Jean Roberts</u> on behalf of the plaintiff, taken before Millie Ballard, LSR, on 1-9-75 at Coffeyville Hospital, Coffeyville, Kansas, filed. mm	
8-13-75	Deposition of <u>George A. Smith</u> on behalf of the plaintiff, taken before Millie Ballard, LSR, on 1-9-75 at the Coffeyville Hospital, Coffeyville, Kansas, filed. mm	
8-13-75	Deposition of <u>Billie Langford</u> on behalf of the plaintiff, taken before Millie Ballard, LSR, on 1-9-75 at the Coffeyville Hospital, Coffeyville, Kansas, filed. mm	

C O N T I N U E D

D. C. 110A Rev. Civil Docket Continuation

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DATE	PROCEEDINGS	Date Order or Judgment Noted
8-13-75	Deposition of <u>Carla Eighmy</u> taken before Millie Ballard, LSR on 1-9-75 at Coffeyville Hospital, Coffeyville, Kansas, filed. mm	

DATE	PROCEEDINGS	Date Order or Judgment Note